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LAW OFFICES
GOLDBERG, GODLES, WIENER & WRIGHT
1229 NINETEENTH STREET, N.W.
WASHINGTON, D.C. 20036

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY
(202) 429-4900
TELECOPIER:
(202) 429-4912

HENRY GOLDBERG
JOSEPH A. GODLES
JONATHAN L. WIENER
HENRIETTA WRIGHT
MARY J. DENT
DANIEL S. GOLDBERG
W. KENNETH FERREE
THOMAS G. GHERARDI, P.C.
COUNSEL

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May 6, 1996

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: ET Docket No. 93-62
Ex Parte Presentation

Dear Mr. Caton:

On May 6, 1996, copies of the attached letter were delivered to Chairman Hundt and the other parties listed on the letter. Two copies are hereby submitted for the public record in accordance with Section 1.1206 of the Commission's rules. Please direct any questions to the undersigned.

Sincerely,


Henrietta Wright

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May 6, 1996

The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W.
Room 814
Washington, D.C. 20554

Re: ET Docket No. 93-62
Guidelines for Evaluating the Environmental Effects of RF Radiation

Dear Chairman Hundt:

The Part 15 Coalition (the "Coalition") has become aware that the Commission is considering adopting the radiation protection guidelines defined by the National Council on Radiation Protection and Measurements ("NCRP"). The Coalition hereby voices its strong opposition to this approach. Abandoning the ANSI/IEEE RF hazards standard in favor of the NCRP guidelines would adversely affect the development of new technologies, particularly unlicensed technologies that will operate in unlicensed bands above 40 GHz, without providing a commensurate benefit to the public.

The Coalition represents companies that produce radio devices designed to operate on an unlicensed basis in compliance with Part 15 of the Commission's rules. As such, the Coalition and its members have a strong interest in assuring that rules adopted by the Commission do not unnecessarily constrain the development and deployment of new technologies. In particular, the Coalition has sought to preserve opportunities for smaller entities to enter the telecommunications and information marketplace.

The Coalition fully supports the Commission's efforts to adopt standards that adequately protect the public from radiation hazards. As the record in this

proceeding demonstrates, that goal will be achieved if the Commission adopts the ANSI/IEEE C95.1-1992 (the "ANSI/IEEE Standard"), as originally proposed in the NPRM in this proceeding.

Yet despite the strong support for the ANSI/IEEE Standard from industry, government, and academics as evidenced by the record in this proceeding, the Commission now is considering abandoning the ANSI/IEEE Standard and, instead, adopting the NCRP guidelines. The Coalition joins the many other parties who have urged the Commission not to take this ill-advised step, for the following reasons:

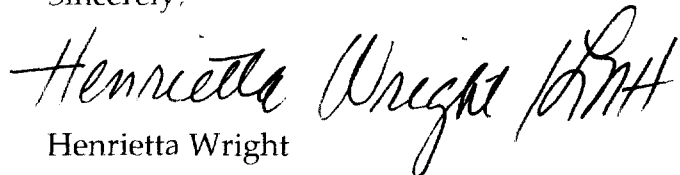
- The ANSI/IEEE Standard was adopted six years after than the NCRP guidelines, and is under continuous review by representatives of the general public, industry, private and university laboratories, and governmental laboratories.
- The ANSI/IEEE Standard was intended to serve as a standard and was developed through a rigorous, open scientific and peer review process. The NCRP guidelines were written as recommendations by a small, ad hoc committee in a closed process. (See Letter from Eleanor R. Adair, Ph.D., to Chairman Reed E. Hundt, dated March 14, 1996; *ex parte* presentation of CTIA dated March 12, 1996.)
- The ANSI/IEEE Standard relies on tools and professionals who are affordable to and accessible by even the smallest companies and organizations. The NCRP standard employs expensive and impractical procedures for validating safe whole-body average and peak SARs, which impose costs beyond the reach of all but the largest companies and businesses. (See Reply Comments of Arthur W. Guy, Ph.D., Emeritus Professor, Center for Bioengineering, University of Washington, at 2.)
- The ANSI/IEEE Standard provides a free service for interpreting the guidelines when situations arise concerning their application. In the rapidly-evolving telecommunications industry, such interpretations are crucial in preserving the validity and applicability of the standard. This service also is very important to smaller businesses, who may not have the necessary in-house expertise to engage in complex interpretations of an RF hazards standard.
- The ANSI/IEEE Standard is used by a number of Federal, state, and local government agencies. The Coalition is not aware of any agency or other entity that has adopted the NCRP guidelines.

Chairman Reed E. Hundt
May 6, 1996
Page 3

- Use of the NCRP guidelines would adversely affect the development of technologies in the millimeter wave bands above 40 GHz. (See Letters from Cynthia Johnson, Government Affairs Manager, Hewlett-Packard Company, to Chairman Reed E. Hundt, dated March 4, 1996 and August 4, 1995.)

For the reasons stated above and in the many other filings submitted in support of the ANSI/IEEE Standard, the Coalition urges the Commission not to abandon the ANSI/IEEE Standard in favor of the NCRP guidelines.

Sincerely,


Henrietta Wright

cc: Commissioner James H. Quello
Commissioner Rachelle B. Chong
Commissioner Susan Ness
Richard M. Smith
Bruce A. Franca
Michael J. Marcus
Robert Cleveland